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FILED
U.S. DISTRICT COURT
2014 AUG 26 3:55
DISTRICT OF UTAH
BY: _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	NOTICE OF SENTENCING
	:	ENHANCEMENT
Plaintiff,	:	
vs.	:	8 U.S.C. § 1326(b)
	:	(TEN YEARS
OSNIN NOEL	:	IMPRISONMENT, \$250,000 FINE,
QUINTANILLA-MELENDEZ; aka CESAR	:	OR BOTH)
AUGUSTO; aka NOEL	:	
NAVARJO-MELENDEZ; aka NOEL	:	
MELENDEZ; aka NOEL	:	
MELENDEZ-NAVARRO; aka NOEL	:	
NAVARRO-QUINTERO; aka CARLOS	:	
RAMIREZ I. PEREZ; aka CARLOS	:	
NAVARRO; aka OSNY NOE	:	
MELENDEZ; aka OSNIN NOEL	:	
MELENDEZ; aka CARLOS	:	
RODRIGUEZ-RIMEREZ; aka OSNIN	:	
QUINTANILLA-MELENDEZ; aka OSNIN	:	
QUINTANILLA-MARTINEZ,	:	
Defendant.	:	

Case: 2:14cr00447
Assigned To : Shelby, Robert J.
Assign. Date : 8/26/2014
Descrip: USA v QuintanillaMelendez

The United States of America, by and through its undersigned counsel, gives
notice that the defendant has been convicted as follows:

On November 29, 2007, convicted in the 3rd District Court, County of Salt Lake, State of Utah, for the offense of Distribute/Offer/Arrange to Dist C/S in violation of Utah State Code 58-37-8(1)(A)(II), a 2nd Degree Felony, for which he was sentenced to an indeterminate term of not less than one year nor more than fifteen years in the Utah State Prison. Case No. 071908299.

On January 3, 2012, convicted in the United States District Court, District of Arizona, for the offense of Re-Entry After Deportation in violation of 8 U.S.C. 1326, a Felony, for which he was sentenced to 14 months. Case No. 4:11-CR-03139-RCC-CRP.

Because of the above convictions, if the defendant is convicted in the above-captioned matter, defendant's sentence will be enhanced according to defendant's prior criminal history and the applicable sentencing guidelines, and defendant will be subjected to a sentence of imprisonment of not more than 10 years, a \$250,000 fine, or both. See 8 U.S.C. § 1326(b); *Apprendi v. New Jersey*, 530 U.S. 466 (2000); *Almendarez-Torres v. United States* 523 U.S. 224 (1998) (prior aggravated felonies are sentencing enhancements that do not need to be charged in the indictment); and *United States v. Martinez-Villalva*, 232 F.3d 1329 (10th Cir. 2000) (failing to charge prior aggravated felonies in an indictment does not violate *Apprendi*).

The government gives the foregoing notice as a matter of courtesy to the defendant and the Court. In so doing, the government in no way restricts itself, the

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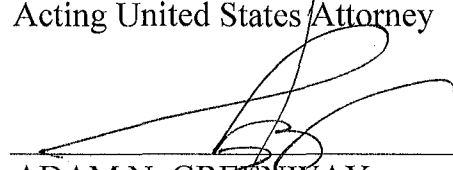
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Probation Office, or the Court from consideration of other crimes, defendant's history, or applicable sentencing factors in determining defendant's sentence in this case.

DATED this 26 day of August, 2014.

CARLIE CHRISTENSEN
Acting United States Attorney



ADAM N. GREENWAY
Special Assistant United States Attorney